

PTO/SB/81 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)		Docket Number (Optional)
First Named Inventor: <u>SANDU MARGARIT SMARANDACHE</u>		RECEIVED CENTRAL FAX CENTER MAR 21 2005
Application Number: <u>10/785,058</u>		
Filed: <u>02/25/2004</u>		
Title: <u>CURRENT DRIVER EMPLOYING PULSE-WIDTH MODULATION</u>		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.		
NOTE: A grantable petition requires the following items:		
(1) Petition fee.		
(2) Reply and/or issue fee.		
(3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and		
(4) Adequate showing of the cause of unavoidable delay.		
1. Petition fee		
<input checked="" type="checkbox"/> Small entity - fee \$ <u>250.00</u> (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(l)).		
2. Reply and/or fee		
A The reply and/or fee to the above-noted Office action in the form of <u>SIGNED DECLARATION & LATE SURCHARGE</u> (identify the type of reply): <u>03/22/2005</u> <u>00000041 10785058</u>		
<input type="checkbox"/> has been filed previously on _____		
<input checked="" type="checkbox"/> is enclosed herewith.		
01 FC:2452 250.00 OP		
B The issue fee of \$ _____		
<input type="checkbox"/> has been filed previously on _____		
<input type="checkbox"/> is enclosed herewith.		

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This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/61 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

SANDU MARGARIT SMARANDACHE

2005 MARCH 21

Date

Typed or printed name

55 BRISTOL ROAD EAST, UNIT 98

Address

MISSISSAUGA, ON, L4Z 3N9, CANADA

Address

Registration Number, if applicable

905 755 9354

Telephone Number

- Enclosure ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unavoidable delay
- ☐ _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

2005 MARCH 21

Date



Signature

SANDU MARGARIT SMARANDACHE

Typed or printed name of person signing certificate

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

SANDU MARGARIT SMARANDACHE

Typed or printed name

2005 MARCH 21

Date

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

AT THE BEGINNING OF 2004, SMART & BIGGAR,
PATENT ATTORNEY, WAS APPOINTED BY LYNCH FLUID
CONTROLS INC. TO PROSECUTE THIS APPLICATION
IN THE USPTO


IN OCTOBER 2004 I INQUIRED AS TO THE STATUS
OF THE APPLICATION BUT SMART & BIGGAR REFUSED
TO PROVIDE ANY DETAILS (PLEASE SEE ATTACHED
A COPY OF THEIR REPLY).

IN JANUARY 2005 LYNCH FLUID CONTROLS INC.
DECIDED TO ABANDON THE APPLICATION.

I BECAME AWARE OF THE NOTICE TO FILE
MISSING PARTS ONLY IN MARCH 2005 AFTER
I REVOKED THE POWER OF ATTORNEY AND GAINED
ACCESS TO THE FILE THROUGH PRIVATE PAIR.

I GREATLY APPRECIATE YOUR CONSIDERATION
REGARDING MY PETITION.

SINCERELY


SANDU SMARANDACHE

(Please attach additional sheets if additional space is needed.)

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